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Message Text

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ACTION EUR-12

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USIA-06 ACDA-07 TRSE-00 DHA-05 CU-04 IO-13 DIWY-01
CA-01 /090 W
----------055991 120843Z /15
R 120729Z SEP 77
FM AMEBASSY BUDAPEST
TO SECSTATE WASHDC 9364
USMISSION NATO
INFO /AMEMBASSY BELGRADE 1889
AMEMBASSY BUCHAREST
AMEMBASSY MOSCOW
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBASSY WARSAW
AMEMBASSY BONN

C O N F I D E N T I A L SECTION 1 OF 3 BUDAPEST 3100

E.O. 11652: GDS
TAGS: CSCE, NATO, SHUM, HU
SUBJECT: FRG QUESTIONNAIRE ON HUMAN RIGHTS IN EASTERN EUROPE

REF: NATO 6805

1. IN MEETING HELD SEP 8, REPRESENTATIVES FROM UK, BELGIUM, DANISH, CANADIAN, U.S., DUTCH, FRG, ITALIAN AND GREEK EMBASSYIES AGREED TO TEXT IN PARA 2 BELOW AS RESPONSE TO FRG QUESTIONNAIRE ON HUMAN RIGHTS. FRG EMBASSY IS SUBMITTING ON BEHALF OF NATO EMBASSIES TO NATO POLADS VIA ITS FOREIGN MINISTRY IN BONN. FOLLOWING SENT THEREFORE "UNOFFICIALLY" FYI.

2. I. THE OVER-ALL SITUATION IN THE FIELD OF HUMAN RIGHTS AS SET FORTH IN THE UTH PRINCIPLE IS BASICALLY THE CONFIDENTIAL

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SAME AS IN THE OTHER EAST EUROPEAN COUNTRIES: INDIVIDUAL HUMAN RIGHTS EVEN IF GUARANTEED BY THE CONSTITUTION ARE SUBORDIANTED TO AND LIMITED BY THE SOCIALIST ORDER OF SOCIETY. WITHIN SUCH LIMITATIONS THE HUNGARIAN LEADER-SHIP'S ATTITUDE, FOREMOST THAT OF KADAR HIMSLEF, TO HUMAN RIGHTS IS FAIRLY LIBERAL USING PRESSURE ONLY SPARINGLY.

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SINCE HELSINKI CERTAIN IMPROVEMENTS HAVE TAKEN PLACE WHICH WILL SUBSEQUENTLY BE MENTIONED IN THIS PAPER, PARTICULARLY IN THE FIELD OF RELIGION.

ALTHOGETHER THE HUNGARIAN POSITION CONCERNING THE 7TH PRINICPLE IS NOT UNFAVORABLE. HARSH CRITICISM OF HUNGARIAN CONDITIONS SEEMS NEITHER JUSTIFIED NOR EXPEDIENT AS IT WOULD BE LIKELY TO BRING ABOUT REVERSES RATHER THAN IMPROVEMENT. (A WELL-KNOWN HUNGARIAN TV COMMENTATOR OPENLY POINTED OUT THAT WESTERN ATTACKS ON THE SITUATION OF HUMAN RIGHTS IN EASTERN EUROPE PRODUCES A CLIMATE OF DEFENSE AND COUNTERACTIONS NOT CONDUCIVE TO FURTHER PROGRESS IN THE FIELD.)

II. THE COVENANT ON CIVIL AND POLITICAL RIGHTS ENTERED INTO FORCE IN HUNGARY ON 22 MAR 1976 BUT THE HUNGARIANS CLAIM THAT ITS PROVISIONS WERE ALREADY COVERED BY NATIONAL LAW. HENCE THERE HAS BEEN LITTLE EFFECTIVE CHANGE IN REGULATIONS, LAWS OR CONSITUTIONAL PROVISIONS. HOWEVER, THE DISPARITY BETWEEN THE GUARANTEE OF HUMAN RIGHTS PROVIDED FOR ON PAPER AND THE PRACTICAL POSSIBILITIES FOR EXERCISING THESE RIGHTS REMAINS UNCHANGED. A NEW LAW DETERMINED THE RIGHTS AND DUTIES OF THE ADMINISTRATION AND THE CITIZENS TO LODGE COMPLAINTS BUT ALTHOUGH ITS PRACTICAL EFFECT SEEMS DOUBTFUL IT CAN SAFELY BE SAID THAT IT IS FAR FROM THE OMBUDSMAN. THE AUTHORITY OF THE STATE TRADE UNIONS HAS BEEN INCREASED TO GIVE LEGAL ADVICE TO THE WORKERS BUT TRADE UNIONS REMAIN A CONFIDENTIAL

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STATE ORGAN RATHER THAN A TRUE REPRESENTATIVE OF THE WORKER'S INTEREST. THERE HAVE ALSO BEEN OTHER SLIGHT IMPROVEMENTS IN THE FREEDOM TO TRAVEL ABROAD.

III. ALL THREE THEXTS HAVE BEEN FOUND AVAILABLE IN A NUMBER OF BUDAPEST BOOK SHOPS.

IV. A. NONE KNOWN. THERE HAS BEEN NO ORGANIZED PUBLIC DISSIDENT MOVEMENT IN HUNGARY. WHEN A GROUP OF ABOUT 30 INTELLECTUALS SIGNED AN OPEN LETTER TO PAVEL KOHOUT, IN JAN 77 IN SUPPORT OF THE CZECH "CHARTER 77," THE HUNGARIAN AUTHORITIES REACTED CAUTIOUSLY, GIVING ONLY A DISCREET WARNING AGAINST A REPETITION OF THE INCIDENT TO THOSE INVOLVED. NOTHING HAS BEEN HEARD SINCE.

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R 120729Z SEP 77
FM AMEMBASSY BUDAPEST
TO SECSTATE WASHDC 9365
USMISSION NATO
INFO: RUDKRB/AMEMBASSY BELGRADE 1890
AMEMBASSY BUCHAREST
AMEMBASSY MOSCOW
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBASSY WARSAW
AMEMBASSY BONN

C O N F I D E N T I A L SECTION 2 OF 3 BUDAPEST 3100

C O R R E C T E D C O P Y (SECTION 2 OF 3 VICE 2 OF 2)

E.O.11652: GDS
TAGS: CSCE NATO SHUM HU

B. NOT TO OUR KNOWLEDGE.

C. AN ULTRA-LEFTIST GROUP, THE SO-CALLED NEW LEFT, COMPOSED OF A NUMBER OF WRITERS, SOCIOLOGISTS AND PHILOSOPHERS, SOME OF THEM FORMER DISCIPLES OF LUKACS, HAS FOR MANY YEARS SEVERELY CRITICIZED EAST EUROPEAN AND HUNGARIAN SOCIALISM AND WAS IN TURN PUBLICLY CONDEMNED AND AT TIMES HARASSED BY THE AUTHORITIES. BUT LITTLE HAS BEEN HEARD OF THEM IN THE LAST TWO YEARS. (SEE ALSO 4A.)

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D. THERE IS A RELATIVELY LIBERAL CLIMATE IN THE FIELD OF ART, LITERATURE AND MUSIC, VARYING IN PROPORTION TO THE INDIVIDUAL ARTIST'S INTERNATIONAL PRESTIGE. AS LONG AS THE ARTIST'S WORK DOES NOT CLEARLY OPPOSE IDEOLOGICAL PRINCIPLES, NO MEASURES ARE TAKEN. ON THE OTHER HAND, MOST HUNGARIANS SEEM TO BE WELL AWARE HOW FAR THEY CAN GO WITHOUT PROVOKING THE AUTHORITIES INTO

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REVISING THE MODUS VIVENDI.

ACTIONS AGAINST ART EXHIBITIONS ARE RARELY, IF EVER, TAKEN.

V. A. THE PROCESS OF NORMALIZATION OF RELATIONS BETWEEN THE (CATHOLIC) CHURCH AND THE STATE THAT HAS TAKEN PLACE MAINLY IN THE PAST TWO YEARS HAS AT LEAST INDICRECTLY STRENGTHENED THE RESPECT FOR FREEDOM OF RELIGION. THE MAIN CHURCHES HAVE BEEN OFFICIALLY RECOGNIZED AS LONG-TERM PARTNERS IN THE CONSTRUCTION OF A MODERN SOCIALIST HUNGARIAN STATE. THE APPOINTMENT OF CARDINAL LEKAI AS HEAD OF THE CATHOLIC CHURCH IN HUNGARY IN 76, THE RESTO-RATION OF THE CHURCH HIERARCHY, KADAR'S VISIT TO THE POPE AND HIS POSITIVE UTTERANCES ON THE ROLE OF RELI-GION IN HUNGARY HAVE IMPROVED THE GENERAL STANDING OF RELIGION IN HUNGARY. IDEOLOGICALLY THERE IS NO TRUCE. THE PARTY HOPES TO MAKE MARXISM IN THE LONG RUN PRE-VAIL BY PERSUASION AND PROPAGANDA.

B. ARTICLE 65 OF THE CONSTITITUTION GUARANTEES FREE-DOM OF CONSCIENCE AND RELIGIOUS WORSHIP. THERE IS TOTAL SEPARATION BETWEEN CHURCH AND STATE. HOWEVER, THE STATE'S APPROVAL FOR NOMINEES TO CHURCH LEADERSHIP POSI-TIONS IS REQUIRED. THE AUTHORITIES CONTRIBUTE A TOKEN SUM OF 70 MILLION FORINTS (APPROX 7 MILLION DM) P.A. FUR CHURCH MAINTENANCE AND CLERGY SALARIES. CONSEQUENTLY,
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ALL CHURCHES DEPEND HEAVILY ON VOLUNTARY CONTRIBUTIONS FROM THEIR MEMBERS AND FROM ABROAD.

C. AFTER THE DIFFICULT MINDSZENTY ERA, CARDIANAL LEKAI'S DIPLOMATIC BUT CONSISTENT LEADERSHIP HAS IMPROVED THE REAL POSSIBILITIES FOR FREE WORSHIP. BUT RELIGIOUS INSTRUCTION REMAINS IF NOT FORMALLY AT LEAST IN PRACTICE LIMITED TO SCARCE HOURS IN CHURCHES. A FEW NEW CHURCHES HAVE BEEN CONSTRUCTED WITH STATE HELP. THERE IN UNIMPEDED ACCESS TO RELIGIOUS SERVICES. BUT A STEADY CHRUCHGOER MIGHT FIND IT DIFFICULT TO MAKE A PARTY OR STATE CAREER. TRAINING OF PRIESTS IS INSUFFICIENT IN NUMBER AND NEITHER ENCOURAGED NO ENCOURAGING UNDER SOCIALIST CONDITIONS ALSO IN HUNGARY.

D. THERE APPEARS TO BE NO PERSECUTION OF RELIGIOUS SECTS. THE APPROX 100,000 JEWS ARE NOW FULLY INTEGRATED AND ARE TREATED AS A RELIGIOUS GROUP RATHER THAN A NATIONAL MINORITY

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USMISSION NATO
INFO /AMEMBASSY BELGRADE 1891
AMEMBASSY BUCHAREST
AMEMBASSY MOSCOW
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBASSY WARSAW
AMEMBASSY BONN

C O N F I D E N T I A L SECTION 3 OF 3 BUDAPEST 3100

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VI. A. YES, IN ARTICLE 61 OF THE NEW CONSTITUTION.
B. THERE APPEARS TO BE NO DISCRIMINATION. THE HUNGARIAN LEADERSHIP CONSISTENTLY TAKES A POSITIVE ATTITUDE TOWARDS MINORITIES, ASCRIBING TO THEM A BRIDGE FUNCTION FOR THE NEIGHBORING COUNTRY -- PARTICULARLY IN THE HOPE TO PERSUADE ROMANIA TO IMPROVE THE CONDITIONS FOR ITS LARGE HUNGARIAN MINORITY IN TRANSYLVANIA. IN HUNGARY THE MINORITIES ARE REPRESENTED IN MID RATHER THAN IN TIP RANKS OF THE STATE HIERARCHY. APPROX. 350.000 GYPSIES IN HUNGARY PARTLY RESIST ATTEMPTS AT INTEGRATION -- AS ELSEWHERE IN EUROPE.
C. YES.
D. THERE IS NO EVIDENCE THAT NATIONAL MINORITIES DO NOT ENJOY UNIMPEDED ACCESS TO ALL PROFESSIONS AND JOBS.
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E. NO.
F. THERE HAS APPARENTLY BEEN SOME PROGRESS IN

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EXPANDING MINORITY LANGUAGE INSTRUCTION. (IN 75 AN
EDUCATION COMMISSION ON MINORITIES UNDER THE CHAIRMANSHIP
OF THE UNDER SECRETARY OF STATE FOR EDUCATION WAS SET UP.)
VII. A. EMIGRATION IS POSSIBLE "IF IN THE NATIONAL
INTEREST" -- A VAGUE FORMULA CAPABLE OF THE WIDEST
INTERPRETATION FOR RESTRICTIVE PURPOSES.
B. IN PRACTICE THE POSSIBILITY FOR EMIGRATION
IS EXTREMELY LIMITED AND VIRTUALLY IMPOSSIBLE FOR AN
ADULT MALE OF MILITARY SERVICE AGE (18-35). WE
HAVE NO EXPERIENCE OF COMPENSATION PAYMENTS FOR EDUCA-
TION -- THE EMIGRE RETAINS DUAL NATIONALITY IN THE
EYES OF THE AUTHORITIES. AN "ILLEAGAL" EMIGRATION
DIMINISHES PROSPECTS OR MAY DELAY FOR YEARS THE ISSU-
ANCE OF A PASSPORT FOR CLOSE RELATIVES LEFT BEHIND.
C. IN HUNGARIAN FEMALE IS GENERALLY ALLOWED TO
EMIGRATE IN CASE OF MARRYING A FOREIGNER. A HUNGARIAN
MALE OF MILITARY SERVICE AGE SELDOM RECEIVES SUCH
PERMISSION.
THE HUNGARIAN AUTHORITIES HAVE SINCE HELSINKI
SHOWN MORE WILLINGNESS TO ALLOW EMIGRATION IN INDIVIDUAL
CASES ON HUMANITARIAN GROUNDS AND FOR THE REUNION OF
FAMILIES.
VIII. OVER 40 PER CENT OF WOMEN WORK, ENCOURAGED BY AN
IMPROVING SYSTEM OF NURSERY SCHOOLS, MATERNAL LEAVE AND
ALLOWANCES. WOMEN WORK IN ALL BRANCHES OF INDUSTRY AND
COMMERCE BUT DIFFERENCES OF PAY CONTINUE. FEW WOMEN REACH THE
UPPER ECHELONS OF MANAGEMENT AND GOVERNMENT.

3. AMEMBASSY BUDAPEST HAS ONLY TWO RESERVATIONS. FIRST,
WE DO NOT FULLY SUBSCRIBE TO IDEA PARA I THAT CRITICISM
OF HUNGARIANS AT BELGRADE SEEMS NEITHER JUSTIFIED NOR
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EXPEDIENT. MODIFICATION TO "HARSH CRITICISM" WAS AT
REQUEST OF AMERICAN REPRESENTATIVE AT NATO MEETING. WE
FULLY AGREE THAT GOH HAS ONE OF BETTER RECORDS AMONG
SOCIALIST STATES WITH REGARD TO COMPLIANCE WITH HELSINKI
HUMAN RIGHTS PRICIPLES BUT WE DO NOT BELIEVE THEY
SHOULD BE ABSOLVED FROM MODERATE AND JUDICIOUSLY PHRASED
CRITICISM. THIS WOULD AVOID DANGER OF SINGLING OUT
HUNGARIANS IN SOVIET EYES AS TOO LIBERAL AND WOULD
REMIND HUNGARIANS WE EXPECT FURTHER PROGRESS IN HUNGARY
ON HUMAN RIGHTS.

4. WITH REGARD TO PARA VII.C. AMEMBASSY BELIEVES THAT
TO SAY HUNGARIAN MALES WHO HAVE MARRIED AMERICAN CITI-
ZENS SELDOM RECEIVE PERMISSION TO EMIGRATE IS TOO NEGA-
TIVE. IN OUR EXPERIENCE, SOMETIMES SUCH MALES MAY
RECEIVE MILITARY PERMISSION TO DEPART, ALBEIT PERHAPS
ONLY AFTER REPEATED EXIT APPLICATIONS AND REFUSALS OVER

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A PERIOD OF YEARS. ADMITTEDLY, HOWEVER, EMIGRANTS TO THE U.S. SEEM TO BE GETTING PREFERENTIAL TREATMENT AS COMPARED TO EMIGRANTS TO OTHER WESTERN COUNTRIES WHICH MAY ACCOUNT FOR OUR DIFFERENCE OF PERCEPTION ON THIS POINT FROM REPRESENTATIVES OF OTHER NATO EMBASSIES IN BUDAPEST.
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